

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

-against-

WAYNE CHARLES,

Defendant.

-----X

08 Cr. 243 (KMK)

ORDER OF
SUBSTITUTION OF COUNSEL.

IT IS HEREBY ORDERED AND ADJUDGED that upon the within Affidavit Richard Levitt and the accompanying Stipulation of Substitution of Counsel, LEVITT & KAIZER and Richard Levitt, Esq., 148 East 78th Street, New York, New York, 10075 (212/737-0400)(Email: rlevitt@richardlevitt.com) shall be substituted as counsel of record for Defendant, Wayne Charles, in the above-captioned matter in place of Gerald B. Lefcourt, Esq. and Faith A. Friedman, Esq.

It is SO ORDERED:

Dated: New York, New York
December 3, 2008


HON. KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE

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DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: _____

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
UNITED STATES OF AMERICA,

08 Cr. 243 (KMK)

-against-

WAYNE CHARLES,

STIPULATION OF
SUBSTITUTION OF COUNSEL

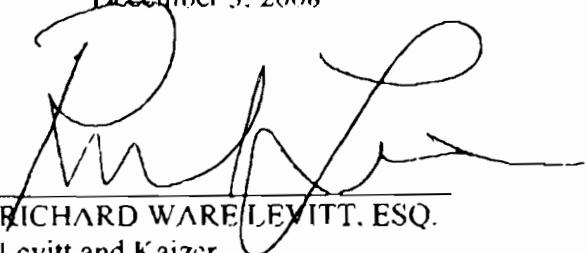
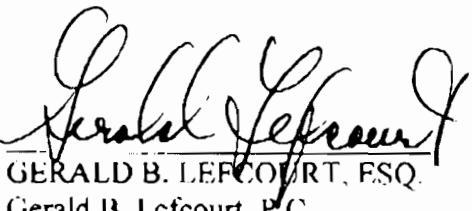
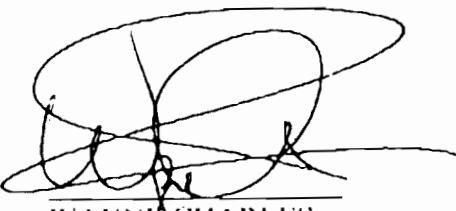
Defendant.

-----X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, pursuant to Local Civil Rule 1.4, that LEVITT & KAIZER and RICHARD LEVITT, ESQ. are substituted as counsel for WAYNE CHARLES in place of GERALD B. LEFCOURT, ESQ. and FAITH A. FRIEDMAN, ESQ. in the above-captioned matter.

Dated: New York, New York

December 3, 2008


RICHARD W. LEVITT, ESQ.
Levitt and Kaizer
148 East 78th Street
New York, New York 10075
Tel. (212) 737-0400
Fax. (212) 396-4152
Email: rlevitt@richardlevitt.com
GERALD B. LEFCOURT, ESQ.
Gerald B. Lefcourt, P.C.
148 East 78th Street
New York, New York 10075
(212) 747-0400
WAYNE CHARLES

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA,

08 Cr. 243 (KMK)

-against-

WAYNE CHARLES,

AFFIDAVIT IN SUPPORT OF
SUBSTITUTION OF COUNSEL

Defendant.

-----X

STATE OF NEW YORK)

COUNTY OF NEW YORK)

RICHARD LEVITT, being duly sworn deposes and states:

1. I am a member of the law firm of Levitt & Kaizer and submit this Affidavit in support of the accompanying Proposed Order to be substituted as counsel for defendant Wayne Charles in the above-captioned matter.

2. Mr. Charles was indicted on March 19, 2008 and charged with conspiracy to Commit Mail Fraud, substantive Mail Fraud and Making False Statements. His trial is scheduled to commence on February 23, 2009.

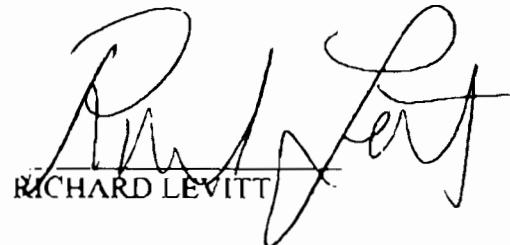
3. I have met with defendant Wayne Charles and it is his unqualified desire to have undersigned represent him at all further proceedings before the Court and has retained us to do so.

4. Mr. Charles's current counsel has requested that if the within application is granted that they be excused from attending the next Court appearance in this matter, on Friday, December 5, 2008.

5. I am prepared to represent Mr. Charles at all future proceedings in this matter and to abide by any pretrial and trial schedule set by the Court.

6. We have spoken with Assistant United States Attorney Dunne and the government has no objection to our substitution as counsel for Mr. Charles.

WHEREFORE, we respectfully request, based upon this Affidavit and the accompanying Stipulation of Substitution of Counsel, that the accompanying Proposed Order Substituting Counsel be endorsed.


RICHARD LEVITT

Sworn to before me this
3rd day of December, 2008



NOTARY PUBLIC

LEON FRIEDMAN
Notary Public, State of New York
No. 31-6414025
Qualified in New York County
Commission Expires Dec 20 2010